ALABAMA HAZARDOUS WASTES MANAGEMENT AND MINIMIZATION ACT (AHWMMA)

Compliance Evaluation Inspection (CEI) Report

1) Author of Report

L. J. Knickerbocker
Environmental Scientist, Senior
Compliance and Enforcement, Industrial Hazardous Waste Branch
Alabama Department of Environmental Management (ADEM)
1400 Coliseum Boulevard
Montgomery, AL 36110

2) Facility Information

Eagle Battery, Inc.
4015 Mobile Highway
Montgomery, Montgomery County, Alabama 36108

EPA ID Number: ALR000060293
NAICS Code: 441310
Telephone: (334) 281-9808

3) Responsible Official

Mr. Charles Mathews Jr., Owner
Website: www.eagleairbattery.com
Telephone: (334) 281-9808

4) Inspection Participants

Mr. Mathews
Ms. Paula Whiting, Environmental Engineer
US Environmental Protection Agency - Region IV
Ms. L. J. Knickerbocker

5) Date of Inspection

March 22, 2016

6) Applicable Regulations

ADEM Administrative Code Division 335-14, Hazardous Waste Program Regulations.

7) Purpose of Inspection

The purpose of the inspection was to investigate how damaged lead/acid automotive batteries and drained battery acid collected from Hyundai Sungwoo Auto USA Corp. (hereinafter "Sungwoo Auto", EPA ID #ALR000058271) were managed and to determine the facility's compliance with all applicable requirements of Division 14 of the ADEM Administrative Code.

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8) **Facility Description**

Eagle Battery, Inc. (hereinafter "Eagle") is an automotive repair and parts retailer, specializing in lead/acid batteries and air conditioning services. The shop has been in operation since 1985. The shop hours are from 8 a.m. through 5 p.m., Monday through Friday. Eagle employs 3 people; of these, only two manage batteries, acid, or used oil during the performance of their job duties.

Eagle has never notified of hazardous waste or used oil generator activities.

Observations

On March 22, 2016, Ms. Whiting and I (hereinafter "we" or "us") arrived at the site at 1:00 p.m. and immediately saw two pallets of batteries sitting outside the shop; one pallet held approximately eleven lead/acid batteries that had been burned to the point that no casings remained and individual batteries were hard to distinguish. See Photograph #2. We proceeded inside, where we met Mr. Mathews. We introduced ourselves and explained the purpose of our visit, then proceeded to Mr. Mathews' office, where we held the opening meeting and he provided background information about the site and an overview of its operations. See Photograph #1 for an overview of the facility.

During this initial meeting, Mr. Mathews told us that in addition to recharging and replacing batteries, Eagle also repairs automotive air conditioners and does a few oil changes. He said that he buys damaged but intact batteries from Sungwoo Auto and transports them to Eagle every three to five months. The batteries are then sold to Trojan Battery; he told us he didn't have the address or any paperwork for Trojan Battery and that it was all at his home office. He said he had never collected any damaged batteries or drained battery acid and that he purchased all his battery acid directly from Trojan. When we asked him about the burned batteries that were stored outside the shop, he said someone had dropped those off while he was out sick and he didn't know what he could do with them. His employee could not recall who left them, either.

Following the opening meeting, Mr. Mathews guided us on the walk-through inspection of the site. During the walk-through inspection, we noted the following:

Repair Shop

The Repair Shop consists of a retail sales and parts counter and a small office at the front of the building, a parts storage area in the central area, then seven work bays in the rear portion. Two bays are sized for large equipment such as tractors, while the remainder are sized for cars. Two of the bays have vehicle lifts to facilitate oil changes, tire repairs, and brake repairs.

In the parts storage area, we saw seven six-foot long fluorescent lamps standing against one wall; four showed darkened ends that indicated they were burned out. Mr. Mathews said he thought all of them were spent, but he wasn't sure how long they had been there or what he should do with them. The lamps were surrounded by miscellaneous discarded materials, so we could not access them to ensure they were still intact. Batteries, acid, and other parts are stored on shelves and pallets along an adjacent wall. We saw four 25-gallon plastic drums of battery acid, including two that had been secured to a wooden pallet using plastic shrink wrap. These containers were identical to the one we saw at Sungwoo Auto. There were three pallets of used batteries in this area:

- one pallet held eighteen batteries that appeared to be in good condition and usable;
- one held ten batteries that appeared to be intact but were marked as being damaged or under warranty;
- the third pallet held nine batteries. Of these, two had open cells and four others showed evidence of leaks and/or corrosion.

See Photograph #3 through 7.

In the work bays, we saw spilled oil on the floor in one work area; it appeared to come from a used oil catch container that was lying on its side at one edge of the spill. The catch container still held residual oil. Adjacent to oil-stained area there was a solid waste trash can that held several empty 1-quart oil bottles. Another catch container was sitting on the floor against the rear wall of the shop; it held what appeared to be a mixture of oil and water, but showed no evidence of a release. According to Mr. Mathews, used oil is captured in catch containers then pumped into a used oil tank outside the building. Spent oil filters are drained and crushed, then disposed in the solid waste trash along with the empty oil containers. He said the business generates about twelve gallons of use oil per month. See Photograph #8 through 10.

Used Oil Tank

Along the north side of the building there is a 250-gallon metal tank marked with the words "Used Oil". The tank was intact, with no evidence of releases or leaks, but was very rusty. The lettering was beginning to peel off the side of the tank. See Photograph #11.

Records Review

During the records review, we requested the following documents and records:

- Any bills of lading or hazardous waste (HW) manifests for batteries
- Any bills of lading, collection tickets, or other paperwork related to the management of used oil;
- Land disposal restriction notices;
- Hazardous waste determinations

Mr. Mathews was reluctant to provide any form of documentation related to his business. When pressed, he did provide copies of the following documents:

- one email to Sungwoo Auto, dated August 27, 2014, that listed the price for palletized scrap batteries (36.5 cents per pound) and stated that Eagle would also collect their battery acid, and
- one "Auto Repair Order" form that showed that Eagle had collected three pallets of "scrap" batteries weighing 11,561 pounds (equivalent to 361 batteries at a weight of 32 pounds each) and one pallet of battery acid from Sungwoo Auto on November 23, 2015.

On further inquiry, Mr. Mathews stated that Eagle did collect both intact and drained batteries from Sungwoo Auto, and that they had collected battery acid at least once. He said the battery acid is kept for use in lawn mower batteries and such, but stated that all of the batteries were sold to Trojan along with Eagle's floor sweepings and any other scrap metal they had.

Mr. Mathews stated that he did not recall the name of the company that collected the used oil, or how frequently that occurred. He did say that his point of contact was David Reeves.

9) Summary

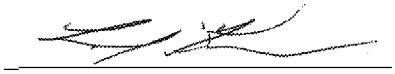
Based on observations made at the time of the inspection, Eagle generates less than 25 gallons of used oil per month and appears generate hazardous waste on an episodic basis. The following possible noncompliant items were noted at the time of the inspection:

- Eagle has not made a hazardous waste determination on one pallet of burned batteries stored outside the building; the batteries were not marked or contained in any way. Mr. Mathews did not know how long the batteries had been on the property, how he could manage them, or who dropped them off.
- Eagle has not made a hazardous waste determination on the spent fluorescent lamps stored in the shop.

- Eagle did not place in containers and mark as hazardous waste lead/acid batteries that showed signs of leaking acid, corrosion, or other damage.
- Eagle did not keep closed all containers holding used oil.
- Eagle did not clean up a release of used oil.
- The used oil tank is rusted and the used oil markings are peeling off the tank.
- Eagle could not provide documentation that used oil was collected by a transporter with a valid Used Oil Transporter Permit and EPA identification number.

Following the inspection, we held a closing meeting with Mr. Mathews. We reviewed our observations, and gave him the opportunity to ask questions. At the conclusion of the closing conference, I prepared a *Preliminary Inspection Report* describing our findings. I left the top copy of the form with Mr. Mathews and we departed the site at 4:00 p.m.

10) Signed



Compliance and Enforcement Section
Industrial Hazardous Waste Branch
Land Division

June XX, 2016
Date

11) Concurrence

Clethes Stallworth, Chief
Compliance and Enforcement Section
Industrial Hazardous Waste Branch
Land Division

June XX, 2016
Date

Attachment - Photo Log

XXXXX ALR000060293 101 201606XX HWTM CEI Report

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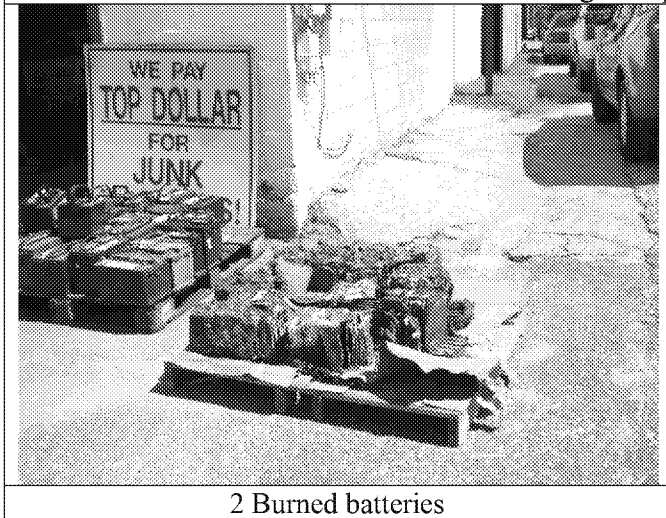
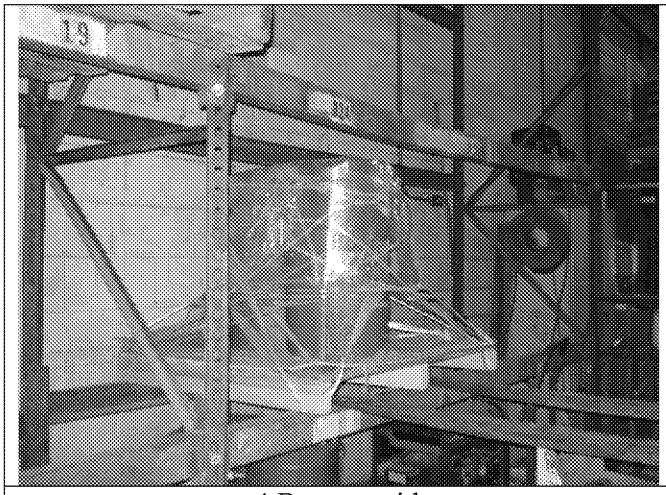
ATTACHMENT – EAGLE BATTERY, INC. PHOTO LOG

1 Google Maps view of site



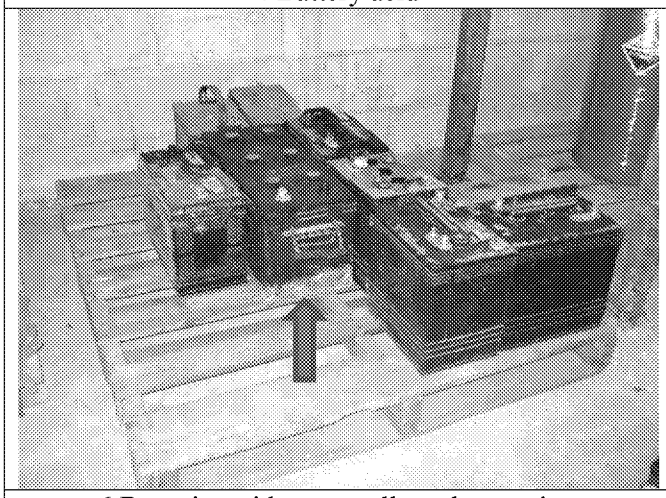
2 Burned batteries

3 Spent fluorescent lamps



4 Battery acid

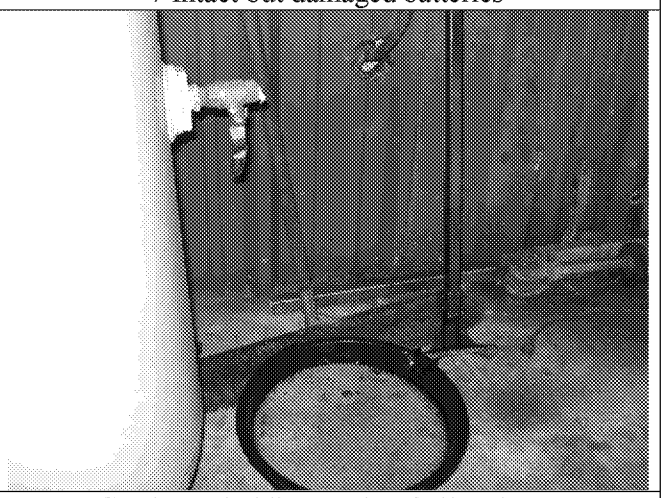
5 Battery acid and motor oil



6 Batteries with open cells and corrosion

7 Intact but damaged batteries

8 Oil spill – note catch container on its side



9 Catch pan holding a mix of oil and water

	
10 Spilled oil around trash can	11 Used oil tank – marked but rusting